

REMARKS

Applicants gratefully acknowledge the Examiner's allowance of claims 59-69, 71, 85, 88, 89 and 99. In lieu of paying the Issue Fee, Applicants submit herewith a Request for Continued Examination pursuant to 37 CFR §1.114. Pursuant to 37 CFR §1.114(c), Applicants also request consideration and allowance of the following claim amendments.

Claims 59-69, 71, 85, 88, 89 and 99 were pending in the application and are deemed allowable. Claims 64 and 65 have been amended. Claim 66 has been canceled. New claim 101 has been added. Accordingly, upon entry of this amendment, claims 59-65, 67-69, 71, 85, 88-89, 99 and 101 will be pending in the application.

Claim 64 has been amended to specify a composition comprising the antibody of the previously allowed antibody of claim 64. Support for this amendment can be found throughout the specification as filed, for example, at page 11 (lines 24-31), page 12 (lines 10-17) and page 42 (line 6) through page 48 (line 10).

Claims 65 has been amended to be in independent form and to further specify that the antibody "does not activate complement upon binding to CD89 *in vivo*." Support for this amendment can be found, for example, at page 2 (lines 28-32), page 3 (lines 16-28), page 11 (lines 24-31) and page 12 (lines 10-17) of the specification as originally filed.

New claim 101 is drawn to an isolated human monoclonal antibody, or antigen binding portion thereof, comprising a heavy chain variable region derived from a human germline V_H 3-30.3 gene and a light chain variable region derived from a human germline V_K A27 gene, wherein the human antibody binds human CD89. Support for new claim 101 can be found throughout the specification as originally filed, for example, at page 11 (lines 24-31) and page 12 (lines 10-17).

Applicants respectfully submit that amended claim 65 and new claim 101 are allowable as they fall within the scope of the originally allowed claims. Specifically, as described above, claim 65 and new claim 101 further define functional and structural characteristics, respectively, of the previously allowed antibody. Moreover, these functional and structural characteristics are also present in allowed claims 60, 61 and 64. Indeed, the prior art does not teach or suggest a human antibody that binds human CD89 having these characteristics. Amended claim 64 should also be allowable as it corresponds to allowed claim 64 in composition form. Again, the prior

art does not teach or suggest a composition comprising a pharmaceutically acceptable carrier and an isolated human anti-CD89 antibody (or antigen binding portion thereof) comprising a heavy chain variable region derived from a human germline V_H 3-30.3 gene and a light chain variable region derived from a human germline V_K L18 gene or V_K A27 gene.


No new matter has been added. The foregoing amendment of the claims should in no way be construed as an acquiescence to any of the Examiner's rejections and was performed solely to expedite prosecution of the application. Applicants reserve the right to pursue the claims as originally filed in this or a separate application(s).

CONCLUSION

In view of the foregoing, allowance of the instant application with all pending claims is respectfully solicited. If a telephone conversation with Applicants' attorney would help expedite the prosecution of the above-identified application, the Examiner is urged to call Applicants' attorney at (617) 227-7400.

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Respectfully submitted,

By 

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